IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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THURSDAY, THE SECOND DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.3883 OF 2006

Between

Mogarala Prasad & Anr. . … Petitioner

Versus

The Mandal Revenue Officer,

Nellore,

Nellore district & Ors. … Respondents

Counsel for the Petitioners: Sri V.Saravana Kumar

Counsel for the Respondent: Govt.Pleader for Revenue

O R D E R :

This writ petition is filed seeking mandamus to the respondents 3 and 4 to initiate departmental enquiry and take disciplinary action against the first and second respondents, for their inaction in accepting the application and not issuing the certified copies to them.

It is stated that the petitioners 1 and 2 are the absolute owners and possessors of agricultural land in an extent of Acs:3-20 cents in survey nos.70/7, 70/7A and 70/B. The land in survey Nos.70/7A and 70/7B consists of Ac:0-30 cents, survey no.89/2 consists Ac:0-50 cents, survey no.73/1 consists Acs:2-00 of the first petitioner and in survey no.69/4 consists Ac:0-28 cents of land of the petitioner no.2.

It is stated that the said entire property was the ancestral property of the petitioners from their forefathers.

It is further stated that to have all the records; namely, 10-1, 10-2, 103 Adangals; black map; fair Adangals; 5th No.Patta and No. 22 Inam of village old Vedayapalem of Nellore, Nellore district, the petitioners have approached the first and second

respondents and submitted written representation on 22-3-2005 but the first and second respondents have not been furnished necessary records. As no action has been taken by the Mandal Revenue Officer, the petitioners have approached the Office of the District Collector, Nellore. The District Collector, Nellore, through Proceedings dated 31-7-2005 directed the Mandal Revenue Officer to take necessary steps on the written representation of the petitioners.

It is stated that the first respondent has not furnished necessary documents as requested by the petitioners in their earlier written representation dated 22-3-2005.

Having regard to the facts and circumstances, without expressing any opinion as to whether the petitioners are owners of the said land or not, I consider it appropriate that if any certified copies of revenue records are sought to be furnished, there cannot be any justification on the part of the Mandal Revenue Officer, Nellore, in refusing to furnish the record on fulfilling the formalities and payment of expenses for furnishing the same.

Accordingly the first respondent is directed to consider and dispose of the representation of the petitioners dated 22-3-2005 and pass appropriate orders on merits and in accordance with law, within eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is accordingly disposed of at the admission stage. No costs.

MARCH 2nd, 2006. ----------

I s L. V. ESWARAIAH, J.

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* N.B. Furnish CC in two days.

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B/o IsL.

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